

RATE LAW BIG SUCCESS SO FAR

Officers Charged With Enforcement Point Out What Has Been Gained

BENEFITS ARE APPARENT

Rates Are Now More Equitable and Rebates Have Been Stopped

FIRST YEAR OF OPERATION

Elkins Law Used to Reach Offenses Committed More Than Year Ago

CHICAGO, Oct. 18.—The railroad rate law will have been in operation one year on Wednesday next. In spite of assertions that absolutely no results of any consequence have followed its enforcement, the Interstate Commerce Commission asserts it has secured these undeniable advantages for the people:

1. It has brought about equalization of rates.
2. It has reduced many tariff rates.
3. It has had a moral effect upon railroad administrations which has resulted in their conforming to rates and practices of law.
4. It has ended rebates.
5. It has done away with a great many discriminations which have been as injurious as rebates to the unfavored shipper.
6. It has insured the adoption of a uniform system of accounts and bookkeeping which, when perfected, will throw light upon railroad administration and permit small investors to exercise intelligent judgment of railroad enterprises.

These results have only been secured from the patient investigation of the Interstate Commerce Commission which arise under the law and which frequently have taken the form of complaints.

Thousands of complaints have been received, which have dealt with every conceivable phase of railroad operation and administration. Chairman Martin J. Knapp of the commission has stated that in his judgment the new law has benefited the railroads to a small extent and the people tremendously. The gain to railroads has followed from the abolition of the custom of granting passes, by the stoppage of rebates, and by the adoption of greater honesty of administration.

The gain the people have derived is not so obvious and this probably is responsible for Senator Foraker's assumption that they have had no advantage whatever from the new act.

The first benefit to the public has followed from the equalization of rates. Necessarily it is of the highest importance that all shippers shall be treated on exactly the same footing. Before the passage of the law discrimination was the practice, hence the development of such great non-polities as the Standard Oil, tobacco, steel, and other trusts.

These discriminations took the form of rebate allowances to, or division with, terminals and switching roads and thousands and one other methods of a sub-surface type which only the initiated could discover.

The country has just witnessed the spectacle of a number of States reducing rates on traffic in their respective jurisdictions. The effect, of course, was to make the joint rate higher than the sum of the locals. The Interstate Commerce Commission has stopped this practice by adopting a rule that the joint rate shall not exceed the sum of the local rates.

Attention is called to the fact that there is and has been a tremendous increase in railroad expenditures during the last year, and there is not the slightest doubt that had not the new law permitted the commission to reduce a rate which was excessive the railroads would have increased their charges, thus compelling the public to bear the cost of additional improvements and operations.

Senator Foraker has dwelt upon the fact that what has been accomplished by the administration in the way of securing honest management has been brought about by the belated enforcement of the Elkins law. This is true to a certain extent. But it is nevertheless true that offenses which were committed prior to the approval of the new railroad rate regulation law could be reached only by laws on the statute books at the time they occurred.

For instance, in the case of the Standard Oil prosecutions, it would have been impossible to convict them under the new law. Moreover, as Chairman Knapp has pointed out, the Supreme Court recently rendered a decision holding that a lawfully established tariff rate must be presumed to be reasonable until the commission rules otherwise. Mr. Knapp believes the same decision applies to the matter of relation of rates. That is to say, it is for the commission to

DUKE AND GIBBS ARE OUT OF PRISON

Proceedings in Habeas Corpus Before District Court Successful So Far as Charge of Holmes Is Concerned

(Special to Review.)

TOMBSTONE, Oct. 18.—As a result of the argument between opposing counsel in the district court this morning on the matter of granting the release of Harry Duke and James A. Gibbs, on a writ of habeas corpus, the two defendants are now at liberty. The argument only concerned the charge filed against the defendants by Charles M. Holmes of Bisbee.

District Attorney Shelley represented the territory, while Attorneys Neale and Morrison looked after the interests of the defendants. The argument occupied an hour and a half, at the end of which time the court rendered a decision releasing the defendants so far as this charge was concerned.

The record of the evidence taken at the preliminary hearing formed the basis of the argument, and from this counsel for the defense claimed it was apparent there were no sufficient grounds to hold Duke and Gibbs to await the action of the grand jury. The court took this view of the matter.

Duke and Gibbs were released from the county jail at about 11:30 and took the afternoon train for Bisbee.

Both of the members of the defunct brokerage firm are now at liberty, the only charges against them being that against Gibbs, filed by L. J. Overlock, in behalf of the Anderson-Apache-Copper Company and the one filed against Duke, by L. C. Shattuck in favor of the Cochise Development Company. Although bound to await the action of the grand jury at his preliminary hearing, Gibbs was permitted to go on his own recognizance while Duke was held in the sum of \$1500, which he furnished.

EMPHATIC INDORSEMENT

Col. Greene Given Fine Testimonial by Stockholders at Meeting.

(Special to Review.)

NEW YORK, Oct. 18.—At the annual meeting of the stockholders of the Greene Gold-Silver Company, held in this city today, 1,200,000 shares were voted in favor of Col. W. C. Greene, and 135 shares against him. All of the old officers of the company were re-elected for the ensuing year. No further statement was given out for publication.

ESCAPES AWFUL DEATH

Penned in Hold of Huge Ship as Fumigation Is Starting.

SAN FRANCISCO, Oct. 18.—Lost in the deep hold of the mammoth Pacific Mail liner Manchuria lying along the wharf. Fearful lest his life be snuffed out by the quarantine doctors during the process of fumigation of the vessel, Peter Slackell, a coal heaver engaged in stowing coal aboard before the rescue was effected, escaped by means of a hole in the bulkhead, and was found in the hold of the ship. The incident is attributed to bad luck.

WINS LAHM CUP

United States Balloon Beats Them All, Going 500 Miles.

ST. LOUIS, Oct. 18.—Swinging through the atmosphere at a speed estimated at twenty-two miles an hour, the United States signal corps balloon No. 10 which ascended here last evening, passed over Illinois and Indiana last night and Ohio today. At nightfall it was apparently about to land in the vicinity of Port Pleasant, West Virginia, when last heard from. The distance in a straight line is 500 miles and the voyage won the aeronaut the Lahm cup.

decide whether tariffs as between points are equitable.

The sole purpose of the Elkins law was to reach discriminations due to departure from tariff charges. It could have no effect in the way of causing changes in tariff. Moreover, the Elkins law, as now in force, merely provides for fixing of corporations guilty of granting or accepting rebates for imprisonment for the guilty officials.

Had an imprisonment penalty not been added, the chances are rebates would have been continued, though the enormous fine imposed by Judge Landis upon the Standard Oil company would have had a deterrent effect until its novelty had disappeared. But with the prospect of a convict's life facing officials, it is altogether probable that any of them will care to consider the idea of granting or receiving rebates.

It is of course, unnecessary to say that there will always be infractions of the law. Events have demonstrated the great evils disclosed by the investigation into the Harriman situation. Repetitions of these offenses will be prevented by legislation the President hopes to secure at the coming congress. But the new law has established a higher standard, which appeals benefit to the whole people, and which marks progress in governmental regulation, that is bound to lead to wholesome results.



FAST LIMITED IS INDIANS ROAST ARE DETERMINED TO FIGHT TO FINISH

DITCHED; ONE THEIR SICK KILLED ALIVE

Palatial Santa Fe Chicago-California Train Thrown Off Track by Rotten Ties; Engineer Thomas Is Crushed

TRINIDAD, Colo., Oct. 18.—The eastbound passenger train No. 4, the Santa Fe California limited, was wrecked at 5 o'clock this morning at Earl, a small station twenty miles north of Trinidad. Passengers were severely shaken up, though none was killed or fatally injured.

Engineer John Thomas of Raton, N. M., was crushed to death under the engine, and Fireman Albert Boyington of Trinidad was fatally injured.

The injured: Tommy Burns, prize-fighter, Oakland, Cal., hip sprained; Burns' manager, Billy Neall, ankle sprained; A. Conland, redneck, near Earl, hip being thrown from a berth; Mrs. C. W. Coberly, Kanabek, Ill., thrown violently from a berth, internal injuries; Henry Smith, Tulare, Miss., thrown out of a berth and hurt about the neck and ankles; Nat Piper, Pueblo, Colo., thrown out of a berth, severe bruises.

The train was a double header. Thomas and Boyington were in the forward locomotive. Both locomotives all cars, composite car, diner and three sleepers, were ditched, only the rear sleeper remaining upright. A relief train was sent from Trinidad. The accident is attributed to bad ties.

GERONIMO GIVES ADVICE

Tells Indian Braves To Adopt the Ways of White Man

COLLINSVILLE, I. T., Oct. 18.—Leading the way in a huge red automobile to the pow-wow grounds, half a mile east of Collinsville, this afternoon, Geronimo, the old chief of the Apaches, now a United States prisoner of war, addressed 1500 Indians, attending the big celebration. He advised them to adopt the ways of the white man, become educated and study the Christian religion. He spoke in his native tongue and interpreters translated the address into the language of other Indian tribes and into English. Lighted by a series of camp fires, with hundreds of Indian braves with feathers and gaudy blankets participating in war dances tonight, the scenes presented are like those of the days when the Indians were alone in the wilderness.

VESSELS IN COLLISION

Huge Steamers Badly Damaged in Fog Off Canada Coast.

VANCOUVER, Oct. 18.—In a dense fog the Canadian Pacific steamer Tatar bound for Honolulu and Hong Kong, collided with the steamer Charming from Victoria for Vancouver. The collision occurred at 6 o'clock off Sand Head light, at the mouth of the Fraser river, but on account of the fog the steamer could not get into Vancouver with news until noon today.

The Charming struck the Tatar squarely on the port bow, coming through the Tatar's plates, and crumpling the Charming's bow. Both vessels began to fill, but compartment and bulkheads kept them from sinking. Both ships started back to Vancouver, after the Charming's passengers had been transferred to the Tatar. They remained outside of port with pumps going until noon. Both vessels are seriously damaged.

SILVER MARKET.

NEW YORK, Oct. 18.—Silver, 60 cents; Mexican dollars, 47 1/2 cents.

TRIBES IN CANADA HAVE BEEN

Guilty of Most Sickening Barbarity Toward Helpless Members; Will Be Punished

WINNIPEG, Oct. 18.—That Indian tribes living within a few hundred miles of Winnipeg have reverted to the most brutal savagery was brought out at the trials of the chiefs of the Salteaux tribe just ended at the Hudson Bay Company's fort at Norway.

Sick and helpless members of the tribe were strangled or burned at the stake for no other reason than to relieve relatives of caring for them. Joseph Pezquan was convicted of murder and sentenced to die. Jack of the Sucker band of the same tribe, strangled himself to death in his cell the night before the date set for trial. Two brothers named Rae are in jail at Norway awaiting trial for several murders.

WAS BIG QUAKE

Professor Says Something Has Happened in Pacific Ocean.

BERKELEY, Cal., Oct. 18.—Professor Leuchner, head of the students' observatory at the University of California, announced that the center of the earthquake disturbance felt on the Pacific coast Wednesday and probably the same as that registered by the seismograph at Washington, was about 1000 miles south of Berkeley, in mid-ocean, probably between Hawaii Island and the south coast of Mexico. The shock known to scientists as seaquake is usually followed by a tidal wave. Reports of the shock will probably be brought in by incoming ships. According to Leuchner the intensity of the quake far exceeded that of the California quake and the Kingston, Valparaiso or Mexican shocks.

PEACE CONFERENCE ENDS

Final Session at The Hague Praises President Roosevelt.

THE HAGUE, Oct. 18.—Joseph H. Choate, head of the American delegation, today signed the final pact of the conference and the peace meeting adjourned. In a closing speech President Neldoff said: "Thanks are expressed to the august initiator of the conference, his majesty, the emperor of Russia. The conference, I hope, today, will render homage to the president of the United States, who first proposed the meeting of the second peace conference by authorizing me to send the following telegram: 'Delegates of the second peace conference, having finished the work and remembering their gratitude for the initial proposition made by the president of the United States, present him respectful homage.'"

WALCOTT WHIPS PAYNE.

ROCKLAND, Oct. 17.—With only a few seconds remaining in the last round of a six-round contest between Joe Walcott of Boston and Billy Payne of Philadelphia, the latter was counted out.

ROW IS NOW ON AMONG CREDITORS

of Duey & Overlock; Some Will Fight for Payment of Entire Amount Due

In accordance with the published call of yesterday morning, a meeting of some of the stockholders of the defunct brokerage firm of Duey & Overlock was held in the offices of Justice Burdick in the Muhlen building for the purpose of discussing the situation, and endeavoring to arrive at some definite plan of action for the future. Those present were creditors who held certificates for stock for which they had paid the firm, and which had not been delivered at the time of the failure.

There were twelve present at the meeting, which was of a private nature. It was announced later in the evening by those who had attended the meeting, that it had been determined definitely to reject the offer made by Overlock a few days ago, and take legal measures to obtain either the stock which they had purchased, or the money which they had paid the firm. It was also stated that further action in the matter would be taken today, at which time a conference would be held with attorneys. It was claimed that probably twelve or thirteen additional creditors who favored the movement were not present at the meeting.

APPEAL TO ROOSEVELT

Farmers in Pennsylvania Want Him to Help Exterminate Bears.

WILLIAMSPORT, Pa., Oct. 18.—Farmers residing in the vicinity of Buckhorn mountain have sent an invitation to President Roosevelt to assist them in exterminating the pest that destroyed the corn. Many farmers are obliged to guard their fields each night. The farmers issued a public invitation for hunting bear on their lands.

FARMERS CONGRESS

Big Crowd Listens to Several Addresses at Oklahoma City.

OKLAHOMA CITY, Oct. 18.—About 1,000 delegates and visitors to the Farmers' National Congress were present when the congress was called to order at 9:30 a. m. today in the convention hall. After completing the program which was omitted yesterday, H. D. Watson of Kearney, Neb., delivered an address on "Dry Farming," followed by President John M. Stahl who delivered his annual address. This afternoon Congressman Edgar C. Ellis of Kansas City delivered an address on "Inland Waterways Transportation."

BISBEE AN EASY VICTOR OVER DOUGLAS

Local Ball Tossers Wallop Smeelter City Contingent in Deciding Game of Series; Team Goes to Tucson

Before a large crowd at the Don Luis baseball park the fast Bisbee ball tossers took the Douglas contingent into camp to the tune of 9 to 2, the final result being in no doubt after the first inning. The winning of yesterday's game by the local boys decided the series in their favor. The feature of the game, in contrast to the preceding day, was the fast fielding of the home team.

The game was called promptly at 3 o'clock, at which time several hundred people were in the grand stand and on the field. In their half the Douglas team was unable to do better than get a man to first base, where he died, when three others went down and out in rapid succession. The local boys started to slaughter Parsons, a new Douglas twirler. In the first round, two single a pass to first, a three base hit, and a passed ball netted four runs, after which the local fans felt at ease, but still begged their favorites to roll the total up as high as possible. Parsons was relieved of his job, as the Douglas captain seemed to fear the local boys would knock holes in the center of the field fence with home runs.

After the first inning the game held little interest, except for some brilliant fielding on Bisbee's part which showed that Thursday was nothing but a warm up game for them. Burns did the twirling for Bisbee and proved himself to be a heady pitcher with a bunch of curves, hard to catch on to. In several instances, with men on second and third, and none out, he retired the visitors without letting a man cross the plate. Burns maintained his reputation as a heavy hitter, while Fiehrer, who played first yesterday, also picked out a three bagger.

The score by innings was as follows:

	1	2	3	4	5	6	7	8	9	Total
Douglas	0	0	0	1	0	0	0	0	0	1
Bisbee	4	1	0	0	2	2	0	0	0	9

The game was called at the end of the seventh inning to give the visitors time to catch the evening train for Douglas.

On this afternoon's train for the north, the Bisbee team will leave for Tucson, where on Sunday afternoon they will play the second game in the big tournament against Douglas. They will be accompanied by Manager Kirk, and several business men, who have been very active in making the game popular locally, not only with their moral support, but financially.

The management of the team has arranged for a special which will leave here on Sunday morning at 7:30 o'clock, and is expected to arrive at Benson shortly after 10 and be pulled from there on a special over the Southern Pacific into Tucson. In time to see the opening game of the tournament. A special rate of \$4 for the round trip has been secured and in consequence a large number of Bisbee people will be on hand.

At the present time there is little doubt anywhere that Bisbee will win the championship. The team has been at Tucson, against the strong teams for other important cities. Owing to the recent hard games they have made the boys are rapidly getting into form that is seldom seen outside of the major leagues.

MAGILL CLEARED

Not Guilty of Killing First Wife of Magill.

DECATUR, Ill., Oct. 18.—Fred Magill and wife, Fay Graham Magill, on trial for the murder of Magill's first wife, were found not guilty tonight.

May 31, last Mrs. Fay Magill was found dead at her home in Clinton. Post mortem examination six weeks later showed she had been suffocated with chloroform. July 5 at Denver, Fred K. Magill, the husband, and Miss Fay Graham, who had been a close friend of the family, were married. Four days later at San Diego, Cal., Magill and his second wife were arrested, charged with the murder, and brought back to Clinton. They secured a change of venue to this city. The state claimed Magill and Miss Graham had driven Mrs. Magill to suicide, thus being guilty of murder. The defense produced letters showing Mrs. Magill was subject to headaches.

EXAMINER IN CHARGE

No New Development in Failure of Butte Savings Bank.

HELENA, Mont., Oct. 18.—A special from Butte, says no new developments in the operation of the Butte State Savings Bank, other than that State Examiner T. E. Collins arrived today from Helena to take charge. Collins stated he would be unable to make a report of the institution's condition for at least a week. There is absolutely no excitement today. The public seems to have accepted the statement of the officials that the bank is quite solvent and will shortly resume.

COALSTRIKE EZZILES.

COLORADO SPRINGS, Oct. 18.—Three hundred coal miners employed in nearby mines north of the city were to have gone on strike today for an increase of wages and an eight-hour working day. When the time for the strike arrived, however, but few men walked out and the places were filled by imported men.

ANTI-REFORM RAISES BIG FUND

McCarthy, Union Labor Candidate for Mayor of Frisco, Has \$60,000

WILL SPEND IT FREELY

Money Said to Come from Calhoun, Great Hater of Union Labor

HE HATES REFORM MORE

Has Engaged All the Big Halls for Last Week of Campaign

SAN FRANCISCO, Oct. 18.—A report that bears the stamp of reason is current that P. H. McCarthy, the union labor nominee for mayor, is equipped with a fund of \$60,000 to make the race. The winning campaign that Schmitz made two years ago cost \$45,000, which was the highest water mark until McCarthy came along to set a pace.

Even before he had received the nomination McCarthy entered into negotiations with a firm that controls virtually all the billboards of the city to buy up all available space. The banners he is now putting out are costly, elaborate affairs and are a big drain on the campaign coffers. He has been paying in advance for all the more commodious halls of the city and has his rivals shelling out from them for the last week of the campaign.

At the meetings bands are in attendance and the program of speechmaking is varied with the performance of vaudeville artists. There is a nerve to the McCarthy fight that only a lavish supply of money can explain. There is a feeling that he is overdoing it, for the display of financial support can but strengthen the charge that Calhoun and Herrin are digging deep into corporation coffers.

Frank McGowan, the union labor candidate for district attorney, whose avowed purpose is to stifle the graft prosecution, has already taken alarm by the head of the ticket. A few days ago an advertising solicitor called on him and the nominee's first explanation over what looks like raw work on the part of Calhoun to elect McCarthy and McGowan to save himself from the penitentiary. Harry I. Mulvey, the county clerk, who deserves to be in better company, is confident that he will be re-elected if the McCarthy taint does not affect his candidacy too strongly, and he is making his fight independently of the ticket. John E. McDougald, a union labor man, who is counted among McCarthy's bitterest enemies, is likewise separating himself from the head of the ticket as much as he can in his race for treasurer. Other candidates are bending their energies in the same direction.

McCarthy has made one definite acquisition and that is the Tenderloin saloon element. The order has been passed along the line that the union labor nominee has given his promise that the evil resorts, particularly those that make night hideous in the residence section about Filmore street shall not be molested if he is elected. The Taylor administration, as represented by the police commission, has made no effort to do politics and has been boldly closing up the more disorderly places.

Pratt and Tierney, who conducted the most notorious dive in the old Tenderloin about Mason street and were semi-official representatives of Ruef and Schmitz in that section, are now operating a dance hall in Ellis street near Filmore only a few doors from the homes of families. The police commission are seeking to close up the place now that the license has expired and Captain Mooney was delegated to gather evidence of the character of the place.

When the captain had stated the facts that he had gathered of women frequenting the place "until" 7-11, one of the resort proprietors arose and made a nasty proposition against the police captain concerning his past life. Jerry Duan, the ex-chief, also made the charge open when Mooney was making it too hot for him. In such a case are honest officials as valued, as it was hardly to be expected that the Taylor administration would try to win the votes of such an element.

The feature of the campaign is the distinction of the lines of the issue drawn. The Taylor side is making no effort to win the votes of such an element.

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